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VIA ELECTRONIC FILING

Honorable Judge Pamela K. Chen
United States District Court
Eastern District of New York
225 Cadman Plz E, Court Room 4F
Brooklyn, NY 11201

Re: Xene Corp. v. Nouryon B.V. et al Case No. 1:22-cv-2850-PKC-MMH

Your Honor:

We represent the Nouryon defendants in the above-referenced action and write the Court to seek leave to file the attached proposed Sur-Reply Memorandum of Law in Further Opposition to Plaintiff's Motion to Reconsider the Court's Order Dated September 12, 2024 ("Sur-Reply). Nouryon seeks leave to file this Sur-Reply solely to address Plaintiff's unfounded accusation, raised for the first time in its reply, that Nouryon and its counsel violated New York Rule of Professional Conduct 3.3(a)(2). We appreciate the Court's consideration.

Respectfully submitted,

/s/ Kyle Mooney

Kyle Mooney

Copies to:

Counsel of Record

By ECF